

Decision 05-02-008 February 10, 2005

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E) for Adoption of its 2005 Energy Resource Recovery Account (ERRA) Forecast Revenue Requirement, Review of its Power Procurement Balancing Account, and Approval of its 2004 ERRA Trigger Amount.

Application 04-10-007
(Filed October 1, 2004)

**ORDER PURSUANT TO RULE 6.5 OF THE
RULES OF PRACTICE AND PROCEDURE**

Rule 6.5 of the Rules of Practice and Procedure concerning changes in the need for hearing or preliminary categorization of a proceeding provides that

“(b) If the assigned Commissioner, pursuant to Rules 6(a)(3), 6(c)(2), or 6(d), changes the preliminary determination on need for hearing, the assigned Commissioner’s ruling shall be placed on the Commission’s Consent Agenda for approval of that change.”

Pursuant to Rule 6.1, the Commission has preliminarily determined in Resolution ALJ 176-3140, dated October 7, that the above-entitled matter is a ratesetting proceeding that was expected to go to hearing. By an assigned Commissioner’s ruling dated January 10, 2005, the assigned Commissioner, Michael R. Peevey, found that the need for hearing determination should be changed.

We have considered our preliminary determinations in this matter and the assigned Commissioner’s ruling.

This matter is uncontested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code, the otherwise applicable 30-day period for public review and comment is being waived.

IT IS ORDERED that:

1. This proceeding does not require that hearings be held.
2. Under Rule 6.6, this order is a final determination that a hearing is not needed in this proceeding. Ex parte communications shall be permitted, as provided in Rule 7(e). In all other respects, the rules and procedures in Article 2.5 of the Commission's Rules shall cease to apply to this proceeding.

This order is effective today.

Dated February 10, 2005, at San Francisco, California.

MICHAEL R. PEEVEY
President
GEOFFREY F. BROWN
SUSAN P. KENNEDY
Commissioners

Comr. Grueneich recused herself from this agenda item and was not part of the quorum in its consideration.